



[7590-01-P]

NUCLEAR REGULATORY COMMISSION

[NRC-2020-0098]

Information Collection: COVID-19 Work Hour Controls Exemption Request Form

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, "COVID-19 Work Hour Controls Exemption Request Form."

DATES: Submit comments by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting "Currently under Review - Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: David Cullison, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; e-mail: INFOCOLLECTS.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID **NRC-2020-0098** when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- **Federal rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID **NRC-2020-0098**. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID **NRC-2020-0098** on this Web site.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[Begin Web-based ADAMS Search](#)." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession No. ML20107J348. The supporting statement is available in ADAMS under Accession No. ML20170A641.

- **NRC's Clearance Officer:** A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; e-mail: INFOCOLLECTS.Resource@NRC.GOV.

B. Submitting Comments

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at <https://www.regulations.gov> and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, “COVID-19 Work Hour Controls Exemption Request Form.” The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a *Federal Register* notice with a 60-day comment period on this information collection on April 23, 2020 (85 FR 22757).

1. *The title of the information collection:* COVID-19 Work Hour Controls Exemption Request Form.
2. *OMB approval number:* 3150-0146.
3. *Type of submission:* Extension.
4. *The form number if applicable:* There is no form number for the online

submission form.

5. *How often the collection is required or requested:* On occasion.

6. *Who will be required or asked to respond:* All holders of, and certain applicants for, nuclear power plant construction permits and operating licenses under the provisions of 10 CFR part 50, "Domestic Licensing of Production and Utilization Facilities" who seek exemptions from the work hour controls specified in 10 CFR 26.205(d)(1)-(7) as allowed by 10 CFR 26.9, "Specific exemptions."

7. *The estimated number of annual responses:* 40.

8. *The estimated number of annual respondents:* 40.

9. *An estimate of the total number of hours needed annually to comply with the information collection requirement or request:* 80.

10. *Abstract:* The NRC requested an emergency review of this information collection in order to add this form to the previously approved information collection OMB Control Number 3150-0146 for a period of 6 months. The purpose of this information collection is to request an extension of the approval of online COVID-19 Work Hour Controls Exemption Request Form. The form simplifies the filing the exemption requests because the existing system may be burdensome for licensees under current conditions. Under the existing collection under OMB Control No. 3150-0146, licensees are already able to seek exemptions from the requirements of 10 CFR part 26, Fitness-For-Duty Programs. This information collection only addresses the incremental burden change to this existing clearance due to the form and not the total burden for the clearance.

10 CFR 26.205(d)(1)-(7) identifies specific work hour control requirements for individuals subject to the requirements of 10 CFR part 26. Due to the impacts of the COVID-19 Public Health Emergency (PHE), the NRC is prepared to grant, upon request from individual licensees, exemptions from the work hour controls specified in 10 CFR 26.205(d)(1)-(7) as allowed by 10 CFR 26.9, "Specific exemptions."

The objective of using the online form to submit exemptions from 10 CFR 26.205(d)(1)-(7) is to ensure that the control of work hours and management of worker fatigue do not unduly limit licensee flexibility in using personnel resources to most effectively manage the impacts of the COVID-19 PHE on maintaining the safe operation of these facilities. Specifically, the licensee can submit an exemption request if (1) a licensee's staffing levels are affected by the COVID-19 PHE, (2) a licensee determines that it can no longer meet the work-hour controls of 10 CFR 26.205(d)(1)-(d)(7), and (3) the licensee can effect site-specific administrative controls for COVID-19 PHE fatigue-management for personnel specified in 10 CFR 26.4(a).

Dated: August 28, 2020.

For the Nuclear Regulatory Commission.

David C. Cullison,
NRC Clearance Officer,
Office of the Chief Information Officer.

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